

UNITED STATES DISTRICT COURT

FOR

District of

PUERTO RICO

UNITED STATES OF AMERICA
V.

JOSE ANIVAL MELENDEZ-CINTRON

JUDGMENT IN A CRIMINAL CASE

(For Revocation of Probation or Supervised Release)

Case Number: 04-CR-118 (01) (SEC)

USM Number: 15544-180

AFPD, FRANCISCO VALCARCEL

Defendant's Attorney

THE DEFENDANT:

 admitted guilt to violation of condition(s) Stand. 1,2,6,7,11 & Sp. 1,2,3 of the term of supervision. was found in violation of condition(s) _____ after denial of guilt.

The defendant is adjudicated guilty of these violations:

Violation Number	Nature of Violation	Violation Ended
Standard Condition #1	The defendant shall not commit another federal, state or local crime. The defendant shall report to USPO and shall submit a written report within the first five days of each month.	10/18/06
Standard Condition #2		3/06 to 9/06 Moved twice & changed employment without notifying it.
Standard Condition #6	The defendant shall notify the USPO at least 10 days prior to change in residence or employment.	10/19/06 Never called to inform of the new arrest.
Standard Condition #7	The defendant shall refrain from excessive use of alcohol & shall not purchase, possess, use, distribute any controlled substance.	Has not made any payments towards the \$1,100,000 restitution.
Standard Condition #11	The defendant shall notify USPO within 72 hours of being arrested.	11/8, 30/05; 12/28/05; 1/18,26/06; 2/7/06, 3/22,29/06; 4/20, 28/06; 5/3,11,23,26/06; 6/12,14/06
Special Condition #1	The defendant shall pay restitution .	
Special Condition #2	The defendant shall refrain from any use of controlled substance. Shall submit to one drug test within 15 days of release from imprisonment.	3/16,27/06; 4/24/06; 5/9,23/06
Special Condition #3	The defendant shall participate in program of testing and treatment for alcohol abuse.	
The defendant is sentenced as provided in pages 2 through <u>3</u> of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.		
<input type="checkbox"/> The defendant has not violated condition(s) _____	and is discharged as to such violation(s) condition.	

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

Defendant's Soc. Sec. No.: _____

DECEMBER 29, 2006

Date of Imposition of Judgment

S/ Salvador E. Casellas

Signature of Judge

SALVADOR E. CASELLAS, U.S. DISTRICT JUDGE

Name and Title of Judge

DECEMBER 29, 2006

Date

Defendant's Residence Address: _____

AO 245D (Rev. 12/03) Judgment in a Criminal Case for Revocations
Sheet 1AO 245D (Rev. 12/03 Judgment in a Criminal Case for Revocations
Sheet 2—ImprisonmentDEFENDANT: JOSE ANIVAL MELENDEZ-CINTRON
CASE NUMBER: 04-CR-118 (01)(SEC)Judgment — Page 2 of 3**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **ELEVEN (11) MONTHS**. The defendant shall make restitution to Zurich North America, in the amount of **\$1,100,000.00**. Restitution will be made to the Clerk's Office, U.S. District Court, for eventual disbursement to the victim. Before the expiration of your term you are to contact the U.S. Attorney's Office, Financial Litigation Unit to establish a payment plan.

The court makes the following recommendations to the Bureau of Prisons:

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ a.m. p.m. on _____
 as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on _____.
 as notified by the United States Marshal.
 as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

a _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: JOSE ANIVAL MELENDEZ-CINTRON
CASE NUMBER: 04-CR-118(1)(SEC)Judgment — Page 3 of 3**CRIMINAL MONETARY PENALTIES**

The defendant must pay the following total criminal monetary penalties under the schedule of payments set forth on Sheet 6.

<u>TOTALS</u>	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
	\$	\$	\$ 1,100,000.00

The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Zurich North American P.O. Box 66944 Chicago, Illinois 60666-0944 Claim #5620086887	\$1,100,000.00		

<u>TOTALS</u>	\$ <u>\$1,100,000.00</u>	\$ _____
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Restitution amount ordered pursuant to plea agreement \$ _____

The defendant must pay interest on restitution or a fine more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

the interest requirement is waived for the fine restitution.

the interest requirement for the fine restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.